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10/19/2021 12:39 PM Pages: 1 of 6 Fees: \$208.50
Skagit County Auditor

When recorded, return to:
BananaBelt Boats, LLC
2919 V Avenue
Anacortes, WA 98221



HILARY S. FRANZ
COMMISSIONER OF PUBLIC LANDS

AQUATIC LANDS AGREEMENT AMENDMENT

Easement No. 51-091104

Grantor: Washington State Department of Natural Resources
Grantee(s): BananaBelt Boats, LLC
Legal Description: Section 19, Township 35 North, Range 2 East, W.M.
Assessor's Property Tax Parcel or Account Number: P33185
Assessor's Property Tax Parcel or Account Number for Upland parcel used in conjunction with this Easement: Not Applicable

THIS EASEMENT AMENDMENT is made by and between the STATE OF WASHINGTON, acting through the Department of Natural Resources ("State"), and BANANABELT BOATS, LLC, a Washington corporation ("Grantee").

BACKGROUND

Easement No. 51-091104 was entered into on the 21st day of December, 2016, by and between BANANABELT BOATS, LLC, a Washington corporation, as Grantee and the STATE OF WASHINGTON, acting by and through the Department of Natural Resources, as landlord ("State"), and recorded with the Skagit County Auditor's office under recording number 201702150070.

Easement No. 51-091104 was previously amended by agreement respectively dated November 28, 2017. A copy of the agreement is recorded in the Skagit County Auditor's office under recording number 201712040189.

Easement No. 51-091104 as amended is hereinafter referred to as the "Agreement." Grantee now possesses the rights, duties, and liabilities under the Agreement.

The parties now desire to amend the Agreement under the following terms and conditions:

THEREFORE, the parties agree as follows:

SECTION 1 AMENDMENTS

Section 1 Grant of Easement, Section 1.1 Easement Defined, subsection (e), is amended to read:

- e. State grants to Grantee a nonexclusive easement for construction purposes only over the Property described in Exhibit B. The construction easement shall terminate on the completion of such Work or seven (7) years after the effective date of this agreement, whichever comes first.

SECTION 2 EFFECTIVE DATE

The amended provisions shall become effective as of September 16, 2021.

SECTION 3 NO RELEASE

State is not releasing any previous Assignor from fully performing the provisions of the Agreement in effect at the time of such assignment or as otherwise agreed in writing between the State, previous Assignor, and the Grantee.

SECTION 4 WARRANTIES

Grantee represents and warrants to State that (i) the Agreement is in full force and effect; (ii) Grantee is not in default or breach of the Agreement; (iii) Grantee has no knowledge of any claims, offsets, or defenses of the Grantee under the Agreement; and (iv) to the best of Grantee's knowledge, the Property is in full compliance with all applicable federal, state, and local governmental permits, rules, ordinances, and laws.

SECTION 5 CONFIRMATION OF AGREEMENT

All other terms of the Agreement not inconsistent with this Amendment are hereby affirmed and ratified.

SECTION 6 RECORDATION

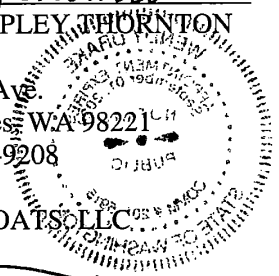
At Grantee's expense and no later than thirty (30) days after receiving the fully-executed Amendment, Grantee shall record this Amendment in the county in which the Property is located. Grantee shall include the parcel number of the upland property used in conjunction with the Property, if any. Grantee shall provide State with recording information, including the date of recordation and file number. If Grantee fails to record this Agreement, State may record it and Grantee shall pay the costs of recording upon State's demand.

THIS AGREEMENT requires the signature of all parties and is executed as of the date of the last signature below.

BANANABELT BOATS, LLC

Dated: August 20, 2021

Amy Ripley Thornton
By: AMY RIPLEY THORNTON
Title: Member
Address: 2919 V Ave.
Anacortes, WA 98221
Phone: 360-588-9208



BANANABELT BOATS, LLC

Dated: 8/20, 2021

Matthew Thornton
By: MATTHEW THORNTON
Title: Member
Address: 2919 V Ave.
Anacortes, WA 98221
Phone: 360-588-9208

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES

Dated: September 16, 2021

Katrina Lassiter
By: KATRINA LASSITER
Title: Interim Deputy Supervisor for Aquatics
Address: 1111 Washington St. SE
Olympia, WA 98504-7000

Approved as to Form this
This 22nd day of July 2016
Jennifer Clements, Assistant Attorney General

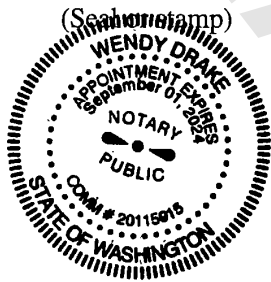
REPRESENTATIVE ACKNOWLEDGMENT

STATE OF WASHINGTON)
) ss
County of Skagit)

I certify that I know or have satisfactory evidence that MATTHEW THORNTON is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Member of BananaBelt Boats, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 8-20-2021

Wendy Drake
(Signature)



Wendy Drake
(Print Name)

Notary Public in and for the State of Washington,
residing at

Anacortes

My appointment expires Sept. 1st, 2024

